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Federal Communications Commission  
Office of Secretary

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MM Docket No. _____
Table of Allotments,	)	
FM Broadcast Stations	)	RM _____
(Shorter, Alabama)	)	
	)	

To: Marlene H. Dortch, Office of the Secretary  
Attn: Media Bureau

**PETITION FOR RULE MAKING**

Auburn Network, Inc ("ANI") hereby petitions the Commission to amend the FM Table of Allotments to allocate a new FM radio channel at Shorter, Alabama on Channel 228A.

Channel 228A can be allotted to Shorter, Alabama at coordinates 32-21-39 North Latitude, 85-53-34 West Longitude, provided that Station WDJC-FM, Birmingham, Alabama is reclassified from Channel 229C to Channel 229C0. The accompanying engineering exhibit demonstrates that once WDJC-FM is reclassified to Channel 229C0 no further spectrum changes are necessary for the proposed allotment at Shorter. WDJC-FM is operating with an antenna height of 307 meters, and does not have an application on file to maintain a Class "C" designation. ANI has determined that no other Class A channels are available to allocate at Shorter.

Shorter easily qualifies as a community for allotment purposes. The town of Shorter was incorporated on February 29, 1984. The U.S. Census 2000 gives the population of Shorter as 355. Shorter is governed by a mayor and town council. Appointed committees include the Shorter Planning Commission and Board of Adjustments, and appointed positions are the town clerk, the building official, police chief, fire chief, municipal judge, court clerk, municipal prosecutor, and the town attorney.

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MB 03-301--

If the Commission grants this petition, ANI will file an application for a construction permit for Channel 228A at Shorter and construct the authorized facilities.

For the foregoing reasons, ANI requests the FCC issue a notice to the licensee of WDJC-FM that it be triggered to Class C0 immediately and that a notice of proposed rule making be issued proposing to allocate Channel 228A to Shorter, Alabama as proposed herein.

### **CERTIFICATE OF SERVICE**

Auburn Network, Inc certifies that it has on this 17th day of September, 2003 caused to be mailed by first class mail, postage prepaid, a copy of the foregoing "Petition for Rule Making" to the following:


Station WDJC-FM  
Kimtron, Inc.  
P.O. Box 3003  
Blue Bell, PA 19422-0735

Certification

**We, Auburn Network, Inc., do hereby verify that all claims, representations, and statements, contained in this petition for rule making are true and correct to our best knowledge and belief. Based on the engineering prepared for us at the date of the allotment studies, channel 228A can be allotted to Shorter, AL, by following the procedure presented in the petition.**

**Thank you for your prompt consideration of this matter.**

**Respectfully Submitted,  
Auburn Network, Inc.**

  
By: Mike Hubbard, President

Mike Hubbard  
President, Auburn Network, Inc.  
Post Office Box 950  
Auburn , AL 36831-0950

ADD 228A Shorter, AL  
Triggering WDJC (Birmingham) to Ch 229C0

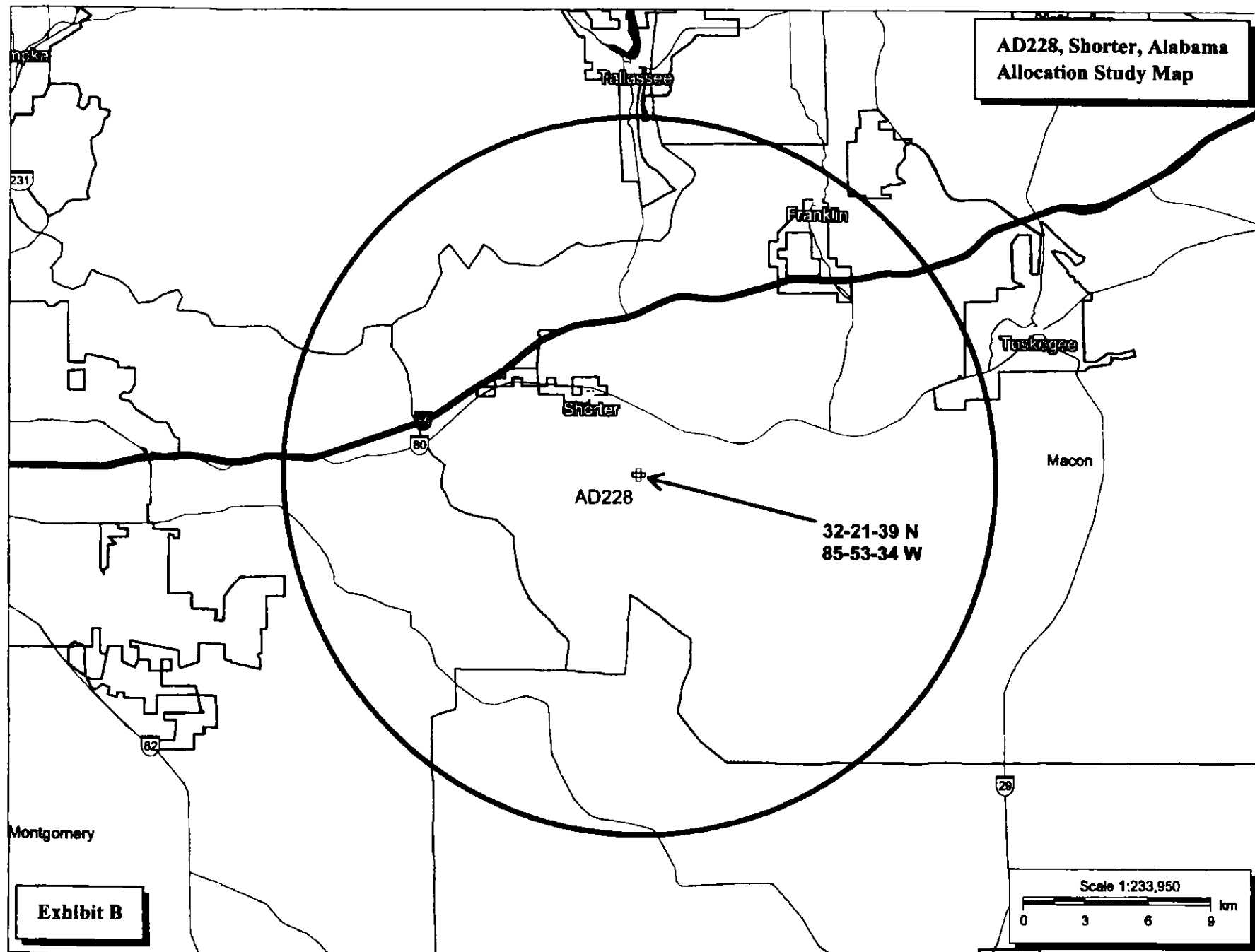
REFERENCE  
12 21 39 N  
85 53 34 W

CLASS = A  
Current Spacings

DISPLAY DATES  
DATA 09-11-03  
SEARCH 09-17-03

----- Channel 228 - 93.5 MHz -----

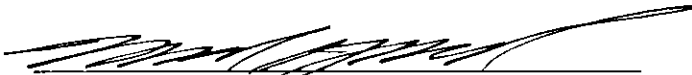
Call	Channel	Location	Dist	Azi	FCC	Margin
RADD	ADD 228A	Shorter	AL 0.00	0.0	115.0	-115.00
WDJCFM	LIC 229C	Birmingham	AL 151.51	322.8	165.0	-13.49
RDEL	DEL 229C	Birmingham	AL 151.51	322.8	165.0	-13.49
RADD	ADD 229C0	Birmingham	AL 151.51	322.8	152.0	-0.49
WVFJFM	LIC 227C1	Manchester	GA 132.51	52.2	133.0	-0.49
WQSI	LIC 231A	Union Springs	AL 30.51	164.2	31.0	-0.49
WVFJFM	APP 227C1	Manchester	GA 136.49	68.0	133.0	3.49
WPGG	LIC-N 227C1	Evergreen	AL 142.40	224.0	133.0	9.40
WRJMF	LIC 229C1	Geneva	AL 146.03	182.5	133.0	13.03
RADD	ADD 228C3	Morgan	GA 158.13	126.2	142.0	16.13
WPGG C	CP 227C1	Evergreen	AL 151.05	214.2	133.0	18.05
RADD	ADD 230A	Opelika	AL 56.02	56.0	31.0	25.02
WQLD	LIC-N 282C1	Lawrence	AL 49.82	210.6	22.0	27.82
RADD	ADD 228A	Morgan	GA 152.60	126.5	115.0	37.60
WKZB	LIC-Z 228C2	Butler	AL 245.59	265.4	166.0	79.59



**Engineering Affidavit**

I have examined the FM radio spectrum in the vicinity of Shorter, Alabama, and  
there is no other available FM channel to be licensed to Shorter Channel 228A  
is the only available channel

Respectfully submitted,  
Auburn Network, Inc

A handwritten signature in black ink, appearing to read "Mike Hubbard", written over a horizontal line.

By. Mike Hubbard, President

Mike Hubbard  
President Auburn Network, Inc  
Post Office Box 950  
Auburn, AL 36831-0950